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10 SAFEWAY INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13

14 MICHAEL RODMAN, on behalf of himself  
and all others similarly situated,

15 Plaintiff,

16 v.

17 SAFEWAY INC.,

18 Defendant.  
19

Case No. 3:11-CV-03003-JST (JCS)

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR APPROVAL OF  
SUPERSEDEAS BOND AND STAY OF  
EXECUTION AND ENFORCEMENT OF  
JUDGMENT PENDING APPEAL**

The Honorable Jon S. Tigar

20  
21 Pursuant to Civil Local Rule 7-12, Plaintiff Michael Rodman, on behalf of himself and all  
22 others similarly situated ("Plaintiff"), and Defendant Safeway Inc. ("Safeway"), hereby stipulate  
23 and agree as follows:  
24

25 WHEREAS, the Court entered judgment on November 30, 2015 (Dkt. No. 406).  
26

27 WHEREAS, Safeway filed a Notice of Appeal to the United States Court of Appeals for  
28 the Ninth Circuit on December 4, 2015 (Dkt. No. 408).

1 WHEREAS, on December 11, 2015, pursuant to the parties' stipulation, the Court entered  
2 an Order for Extension of Stay of Execution and Enforcement of Judgment by which (1) any  
3 execution or enforcement of the judgment was stayed until and including January 5, 2016; and (2)  
4 a supersedeas bond in the amount of \$42,000,000 was approved (Dkt. No. 412).

5  
6 WHEREAS, on January 6, 2016, pursuant to the parties' stipulation, the Court entered an  
7 Order for Further Extension of Stay of Execution of Enforcement of Judgment by which any  
8 execution or enforcement of the judgment was stayed until and including January 12, 2016 (Dkt.  
9 No. 414).

10  
11 WHEREAS, Safeway has obtained a supersedeas bond in the amount of \$42,000,000, a  
12 copy of which is attached hereto as Exhibit A.

13  
14 WHEREAS, the parties agree that any execution or enforcement of the judgment is stayed  
15 until fifteen days after issuance of the mandate by the United States Court of Appeals for the Ninth  
16 Circuit.

Dated: January 7, 2016

Dated: January 7, 2016

REED SMITH LLP

CHIMICLES & TIKELLIS LLP

By: /s/ Jonah D. Mitchell\*

By: /s/ Steven A. Schwartz

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*\* Filer's Attestation: Pursuant to Civil Local Rule 5-1(i) regarding signatures, Jonah D. Mitchell hereby attests that concurrence in the filing of this document has been obtained.*

**ORDER**

**PURSUANT TO STIPULATION, IT IS HEREBY ORDERED** that any execution or enforcement of the judgment is stayed until fifteen days after issuance of the mandate by the United States Court of Appeals for the Ninth Circuit.

DATED: January 11, 2016

